

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 04-34

Introduced by Council President Wagner at the request of the County Executive

Legislative Day No. 04-22 Date August 3, 2004

AN ACT to add new Subsection E(3) to Section 256-30, Method of Assessment, of Article I, General Provisions; and to repeal and re-enact, with amendments, Subsection I, Fallston Commercial Corridor, of Section 256-40, Establishment; boundaries, of Article III, Other Sanitary Subdistricts, all of Chapter 256, Water and Sewers, of the Harford County Code, as amended; to provide for the inclusion of additional parcels into the Fallston Sanitary Subdistrict; and generally relating to the Fallston Sanitary Subdistrict.

By the Council, August 3, 2004

Introduced, read first time, ordered posted and public hearing scheduled

on: September 7, 2004

at: 6:45 p.m.

By Order: Barbara J. Ruth, Council Administrator

**PUBLIC HEARING**

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on September 7, 2004, and concluded on, September 7, 2004.

Barbara J. Ruth, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

**BILL NO. 04-34**  
**As Amended**

Section 1. Be It Enacted By The County Council of Harford County, Maryland that Subsection E(3) be, and it is hereby, added to Section 256-30, Method of Assessment, of Article I, General Provisions, of Chapter 256, Water and Sewer; and that Subsection I, Fallston Commercial Corridor, of Section 256-40, Establishment; boundaries, of Article III, Other Sanitary Subdistricts, of Chapter 256, Water and Sewers, be, and it is hereby, repealed and re-enacted, with amendments, all of the Harford County Code, as amended, all to read as follows:

**Chapter 256. Water and Sewers**

**Article I. General Provisions**

**§ 256-30. Method of assessment**

E. In addition to equal benefit assessments and front foot benefit assessments provided for herein, the county may authorize assessments based on assessed valuation of land and improvements on all parcels within the defined area. The assessment rate will be set as the amount which, when multiplied by the assessable tax base, will provide an amount sufficient to meet the annual principal and interest debt service payment of the project.

(1) As assessments change in the defined area every other year, the assessment rate will be adjusted to reflect an amount necessary to provide for the annual debt service principal and interest payment without exceeding total debt service for each project.

(2) Prepayment:

(a) Prepayment of the assessment shall be allowed for the following residential-zoned lots only:

[1] 24 lots - Woodridge Manor (Lots 1, 4-14, 17, 20-24, 31-33, 72-73, 78)

[2] 134 lots - Woodcrest (Lots 24, 27-28, 30-31, 41-49, 52-58, 62-69, 82-83, 105-106, 113-128, 130-162, 164-215)

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(b) Prepayment must be made prior to the issuance of bond for construction of the project. The method of prepayment is based upon the percentage of usage contributed by each subdivision to the Fallston Commercial Corridor Sewer System as follows:

[1] Woodridge Manor -- 1.6% of total cost or 0.067% for each lot prepaid

[2] Woodcrest -- 8.93% of the total cost or 0.067% for each lot prepaid

(c) The amount to be prepaid shall be based upon the project cost estimate as determined by the design engineer at 95% completion of the design and prior to issuance of the bond for the project.

(d) No other prepayment of the assessment shall be allowed.

(3) FOR ANY PROPERTY, DEFINED FOR PURPOSES OF THIS SECTION AS A PARCEL, LOT OR PORTION OF A PARCEL, THAT IS ADDED TO THE FALLSTON COMMERCIAL CORRIDOR SANITARY SUBDISTRICT AFTER AUGUST 2004, THE NEWLY ADDED PROPERTY SHALL NOT BE ASSESSED NOR SHALL ITS ASSESSED VALUATION BE USED TO CALCULATE THE ASSESSMENT RATE UNTIL THE PROPERTY IS BENEFITED BY A HARFORD COUNTY PUBLIC SEWER. FOR PURPOSES OF THIS SECTION, THE TERM BENEFITED SHALL MEAN THAT NO EXTENSION OF THE PUBLIC MAIN IS REQUIRED AND THAT THE PROPERTY CAN BE CONNECTED TO THE PUBLIC MAIN, WITHOUT ACQUIRING ANY EASEMENTS, EITHER THROUGH THE CONSTRUCTION OF A SERVICE CONNECTION OR THROUGH THE EXTENSION OF AN ON-SITE PRIVATE SEWER SYSTEM.

**Article III. Other Sanitary Subdistricts**

**§ 256-40. Establishment; boundaries.**

I. Fallston Commercial Corridor.

(1) The Fallston Commercial Corridor of the county is hereby established as a sanitary subdistrict (sewer only) which includes the parcels OR PORTIONS OF PARCELS of land as shown on the plat entitled "Exhibit A," which is attached hereto and incorporated by reference herein, and [as more particularly described] INCLUDED IN WHOLE OR IN PART in the following deeds or plats, as recorded in the land records of Harford County, Maryland[.]:

(a) Tax Map 48

[1] H.D.C. Book 1104, Page 340.

[2] H.D.C. BOOK 1083, PAGE 126.

(b) Tax Map 55

[1] C.G.H. Book 1628, Page 1003.

[2] C.G.H. Book 1368, Page 125.

[3] G.R.G. Book 671, Page 393.

[4] C.G.H. Book 1489, Page 169.

[5] H.D.C. Book 988, Page 242.

[[6] H.D.C. Book 1229, Page 888.

[7] H.D.C. Book 1083, Page 126.]

[[8]] [6] G.R.G. Book 507, Page 124.

[[9]] [7] G.R.G. Book 328, Page 70.

[[10]] [8] C.G.H. Book 1347, Page 133.

[[11]] [9] H.D.C. Book 1067, Page 344.

[[12]] [10] C.G.H. Book 1395, Page 406.

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1	[[13]]	[11]	G.R.G. Book 726, Page 27.
2	[[14]]	[12]	H.D.C. Book 913, Page 327.
3	[[15]]	[13]	H.D.C. Book 1124, Page 967.
4	[[16]]	[14]	H.D.C. Book 906, Page 489.
5	[[17]]	[15]	H.D.C. Book 1213, Page 1004.
6	[[18]]	[16]	H.D.C. Book 1097, Page 676.
7	[[19]]	[17]	C.G.H. Book 1555, Page 475.
8	[[20]]	[18]	C.G.H. Book 1648, Page 193.
9	[[21]]	[19]	C.G.H. Book 1424, Page 68.
10	[[22]]	[20]	H.D.C. Book 1211, Page 249.
11	[[23]]	[21]	C.G.H. Book 1330, Page 971.
12	[[24]]	[22]	H.D.C. Book 944, Page 652.
13	[[25]]	[23]	C.G.H. Book 1335, Page 143.
14	[[26]]	[24]	H.D.C. Book 880, Page 629.
15	[[27]]	[25]	H.D.C. Book 1152, Page 882.
16	[[28]]	[26]	G.R.G. Book 474, Page 159.
17	[[29]]	[27]	C.G.H. Book 1304, Page 594.
18	[[30]]	[28]	G.R.G. Book 751, Page 217.
19	[[31]]	[29]	H.D.C. Book 1000, Page 775.
20	[[32]]	[30]	C.G.H. Book 1372, Page 129.
21	[[33]]	[31]	G.R.G. Book 516, Page 386.
22	[[34]]	[32]	C.G.H. Book 1738, Page 590.
23	[[35]]	[33]	H.D.C. Book 1248, Page 355.

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1	[[36]]	[34]	C.G.H. Book 1568, Page 629.
2	[[37]]	[35]	H.D.C. Book 1193, Page 140.
3	[[38]]	[36]	C.G.H. Book 1599, Page 303.
4	[[39]]	[37]	C.G.H. Book 1406, Page 812.
5	[[40]]	[38]	H.D.C. Book 1227, Page 620.
6	[[41]]	[39]	H.D.C. Book 1039, Page 166.
7	[[42]]	[40]	H.D.C. Book 1280, Page 51.
8	[[43]]	[41]	C.G.H. Book 1494, Page [1098]1089.
9	[[44]]	[42]	C.G.H. Book 1310, Page 931.
10	[[45]]	[43]	G.R.G. Book 500, Page 314.
11	[[46]]	[44]	G.R.G. Book 516, Page 271.
12	[[47]]	[45]	C.G.H. Book 1444, Page 373.
13	[[48]]	[46]	H.D.C. Book 1247, Page 587.
14	[[49]]	[47]	H.D.C. Book 1268, Page 629.
15	[[50]]	[48]	C.G.H. Book 1368, Page 485.
16	[[51]]	[49]	H.D.C. Book 944, Page 218.
17	[[52]]	[50]	H.D.C. Book 1154, Page 711.
18	[[53]]	[51]	H.D.C. Book 1028, Page 983.
19	[[54]]	[52]	H.D.C. Book 1225, Page 865.
20	[[55]]	[53]	H.D.C. Book 1193, Page 224.
21	[[56]]	[54]	H.D.C. Book 1271, Page 652.
22	[[57]]	[55]	C.G.H. Book 1405, Page 949.
23	[[58]]	[56]	H.D.C. Book 889, Page 890.

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1	[[59]]	[57]	G.R.G. Book 576, Page 188.
2	[[60]]	[58]	G.R.G. Book 826, Page 254.
3	[[61]]	[59]	C.G.H. Book 1525, Page 726.
4	[[62]]	[60]	H.D.C. Book 1173, Page 660.
5	[[63]]	[61]	H.D.C. Book 1033, Page 429.
6	[[64]]	[62]	C.G.H. Book 1297, Page 358.
7	[[65]]	[63]	H.D.C. Book 952, Page 557; Book 1002, Page 698.
8	[[66]]	[64]	H.D.C. Book 1104, Page 340.
9	[[67]]	[65]	H.D.C. Book 1156, Page 18.
10	[[68]]	[66]	H.D.C. Book 1020, Page 900.
11	[[69]]	[67]	G.R.G. Book 588, Page 619.
12	[[70]]	[68]	G.R.G. Book 790, Page 379.
13	[[71]]	[69]	C.G.H. Book 1304, Page 344.
14	[[72]]	[70]	C.G.H. Book 1440, Page 220.
15	[[73]]	[71]	H.D.C. Book 1187, Page 811.
16	[[74]]	[72]	C.G.H. Book 1332, Page 23.
17	[[75]]	[73]	C.G.H. Book 1297, Page 552.
18	[[76]]	[74]	H.D.C. Book 1236, Page 979.
19	[[77]]	[75]	H.D.C. Book 1051, Page 771.
20	[[78]]	[76]	H.D.C. Book 1047, Page 215.
21	[[79]]	[77]	H.D.C. Book 1267, Page 817.
22	[[80]]	[78]	H.D.C. Book 1067, Page 350.
23	[[81]]	[79]	H.D.C. Book 1256, Page 788.

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1	[[82]]	[80]	H.D.C. Book 1123, Page 223.
2	[[83]]	[81]	H.D.C. Book 1214, Page 546.
3	[[84]]	[82]	H.D.C. Book 1133, Page 144.
4	[[85]]	[83]	G.R.G. Book 515, Page [597]596.
5	[[86]]	[84]	H.D.C. Book 1183, Page 554.
6	[[87]]	[85]	H.D.C. Book 1127, Page 1002.
7	[[88]]	[86]	H.D.C. Book 885, Page 215.
8	[[89]]	[87]	H.D.C. Book 1259, Page 654.
9	[[90]]	[88]	G.R.G. Book 672, Page 56.
10	[[91]]	[89]	H.D.C. Book 1051, Page 976.
11	[[92]]	[90]	H.D.C. Book 1042, Page 794.
12	[[93]]	[91]	H.D.C. Book 1116, Page 1043.
13	[[94]]		H.D.C. Book 915, Page 1049.]
14	[[95]]	[92]	G.R.G. Book [552]555, Page [552]522.
15	[[96]]	[93]	C.G.H. Book [1347]1459, Page [133]425.
16	[[97]]	[94]	H.D.C. Book 1043, Page 440.
17	[[98]]	[95]	C.G.H. Book 1555, Page 479.
18	[[99]]	[96]	G.R.G. Book 538, Page 591.
19	[[100]]	[97]	C.G.H. Book 1382, Page 137.
20	[[101]]	[98]	C.G.H. Book 1469, Page 839.
21	[[102]]	[99]	H.D.C. Book 1222, Page 375.
22	[[103]]	[100]	H.D.C. Book 861, Page 547.
23	[[104]]	[101]	H.D.C. Book 1180, Page 571.



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1                   [[105]] [102] C.G.H. Book 1626, Page 52.

2                   [[106]] [103] C.G.H. Book 1555, Page 475.

3                   [[107]] [104] H.D.C. Book [983]893, Page 396.

4                   [[108]] [105] H.D.C. Book 936, Page 589; H.D.C. Book 1057, Page

5       821.

6                   [[109]] [106] G.C.B. Book 282, Page 339.

7                   [[110]] [107] C.G.H. Book 1431, Page 481.

8                   [[111]] [108] H.D.C. Book 978, Page 54.

9                   [[112]] [109] G.R.G. Book [583]611, Page [103]551.

10                  [[113]] [110] G.R.G. Book 710, Page 93.

11                  [[114]] [111] H.D.C. Book 1159, Page 985.

12                  [[115]] [112] G.R.G. Book 850, Page 352.

13                  [[116]] [113] H.D.C. Book 839, Page 481; H.D.C. Book 1155, Page

14       768.

15                  [[117]] [114] H.D.C. Book 848, Page 565; H.D.C. Book 1155, Page

16       770.

17                   (c)   Woodcrest

18                   [1]    Plat 26-43, Lot 188-195.

19                   [2]    Plat 26-47, Lot 160-162, Lot 164-165, Lot 173-176.

20                   [3]    Plat 21-27, Lot 27-28, Lot 30-31, Lot 105-106.

21                   [4]    Plat 21-26, Lot 24.

22                   [5]    Plat 26-46, Lot 144-148, Lot 166-172.

23                   [6]    Plat 26-40, Lot 113-114, Lot 200-204, Lot 210-215.

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- 1 [7] Plat 26-41, Lot 115-118, Lot 197-199.
- 2 [8] Plat 19-35, Lot 82-83.
- 3 [9] Plat 26-42, Lot 119-122, Lot 186-187, Lot 196.
- 4 [10] Plat 26-48, Lot 155-159, Lot 177-182, Lot 205-209.
- 5 [11] Plat 26-44, Lot 123-128, Lot 130-135, Lot 154, Lot 183-185.
- 6 [12] Plat 26-45, Lot 136-143, Lot 149-153.
- 7 [13] Plat 21-32, Lot 49, Lot 52-58, Lot 62.
- 8 [14] Plat 21-31, Lot 42-48, Lot 63-67.
- 9 [15] Plat 21-30, Lot 41, Lot 68-69.
- 10 (d) Woodridge Manor
- 11 [1] Plat 15-20, Lot 1, Lot 4-14, Lot 17, Lot 20-24, Lot 31-33, Lot 72-
- 12 73, Lot 78.
- 13 [2] PLAT 15-72, LOT 65.
- 14 [3] PLAT 61-90, LOT 64.
- 15 [4] PLAT 43-110, LOT 62.
- 16 (e) Mixed zoning properties
- 17 [1] Tax Map 48
- 18 [a] C.G.H. Book 1432, Page 82.
- 19 [2] Tax Map 55
- 20 [a] G.R.G. Book 837, Page 378.
- 21 [b] C.G.H. Book 1576, Page 510.
- 22 [c] [M.E.W.R.]G.C.B. Book 282, Page 339.
- 23 [d] H.D.C. Book 939, Page 965.

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PAGE 532.

- [e] H.D.C. Book 1087, Page 330.
- [f] G.R.G. Book 480, Page 266.
- [g] G.R.G. Book 810, Page 457.
- [h] [H.D.C. Book 1071, Page 939]C.G.H. BOOK 1670,
- [i] G.R.G. Book 340, Page 273.
- [j] H.D.C. Book 875, Page 289.
- [k] C.G.H. Book 1463, Page 933.
- [l] C.G.H. Book 1463, Page 933.
- [m] G.R.G. Book 399, Page 341.
- [n] G.R.G. Book 625, Page 187.
- [o] H.D.C. Book 1282, Page 121.
- [p] G.R.G. Book 462, Page 537.
- [q] C.G.H. Book 1585, Page 792.
- [r] H.D.C. Book 1122, Page 328.
- [s] H.D.C. Book 1133, Page 144.
- [t] C.G.H. Book 1657, Page 921; H.D.C. Book 1177, Page

1020.

(F) PROPERTIES WITH R2 ZONING

- [1] TAX MAP 55
- [A] H.D.C. BOOK 1229, PAGE 888.
- [B] H.D.C. BOOK 915, PAGE 1049.
- ~~[C] G.R.G. BOOK 327, PAGE 300.~~

1	<del>[D] — G.R.G. BOOK 436, PAGE 355.</del>
2	<del>[E] — G.R.G. BOOK 612, PAGE 521.</del>
3	<del>[F] — G.R.G. BOOK 640, PAGE 295.</del>
4	<del>[G] — G.R.G. BOOK 753, PAGE 494.</del>
5	<del>[H] — G.R.G. BOOK 832, PAGE 130.</del>
6	<del>[I] — H.D.C. BOOK 953, PAGE 143.</del>
7	<del>[J] — H.D.C. BOOK 1040, PAGE 248.</del>
8	<del>[K] — H.D.C. BOOK 1187, PAGE 226.</del>
9	<del>[L] — C.G.H. BOOK 1399, PAGE 888.</del>
10	<del>[M] — C.G.H. BOOK 1519, PAGE 337.</del>
11	<del>[N] — C.G.H. BOOK 1850, PAGE 307.</del>
12	<del>[O] — C.G.H. BOOK 2002, PAGE 164.</del>
13	<del>[P] — C.G.H. BOOK 2200, PAGE 657.</del>
14	<del>[Q] — C.G.H. BOOK 2265, PAGE 203.</del>
15	<del>[R] — C.G.H. BOOK 2342, PAGE 173.</del>
16	<del>[S] — C.G.H. BOOK 2449, PAGE 390.</del>
17	<del>[T] — C.G.H. BOOK 2617, PAGE 517.</del>
18	<del>[U] — C.G.H. BOOK 2855, PAGE 295.</del>
19	<del>[V] — C.G.H. BOOK 3251, PAGE 590.</del>
20	<del>[W] — C.G.H. BOOK 3358, PAGE 94.</del>
21	<del>[X] — C.G.H. BOOK 3489, PAGE 425.</del>
22	<del>[Y] — C.G.H. BOOK 3620, PAGE 558.</del>
23	<del>[Z] — C.G.H. BOOK 3900, PAGE 352.</del>

~~[AA] J.J.R. BOOK 4403, PAGE 50.~~

~~[BB] J.J.R. BOOK 4407, PAGE 179.~~

~~[CC] J.J.R. BOOK 4687, PAGE 570.~~

~~[DD] J.J.R. BOOK 4917, PAGE 245.~~

~~[EE] J.J.R. BOOK 4951, PAGE 495.~~

~~[FF] J.J.R. BOOK 5079, PAGE 356.~~

~~[GG] J.J.R. BOOK 5209, PAGE 711.~~

~~[HH] J.J.R. BOOK 5299, PAGE 493.~~

~~[II] J.J.R. BOOK 5362, PAGE 618.~~

~~[JJ] H.D.C. BOOK 1087, PAGE 330.~~

~~[KK] C.G.H. BOOK 3183, PAGE 343.~~

~~[LL] C.G.H. BOOK 3661, PAGE 571.~~

~~[MM] G.C.B. BOOK 282, PAGE 339.~~

~~(G) PROPERTIES WITH AGRICULTURAL ZONING~~

~~[1] TAX MAP 55~~

~~[A] C.G.H. BOOK 3872, PAGE 128.~~

(2) [Only B2, B3 and CI]THE PARCELS OR portions of the parcels LISTED IN SECTIONS 256-40I(1)(A), 256-40I(1)(B) AND 256-40I(1)(E) WITH B2, B3 OR CI ZONING [which have mixed zoning and are listed above, zoned] as of December[, ] 1991 are included in the subdistrict except THAT THE PORTION OF PARCEL 171 (BOOK 340, PAGE 273), WHICH HAD CI AND B2 ZONING AS OF AUGUST 2004, IS ALSO INCLUDED WITHIN THE SUBDISTRICT. [for Parcel 562 (Book 915, Page 1049) and Parcel 96 (Book 1229, Page 888) which are zoned R2. Residential portions of the above-listed plat references known as Woodcrest and Woodridge Manor are also

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1 included. Any agriculturally-zoned portions, zoned as of December 1991, of the above-listed deed  
2 references are excluded from the Fallston Commercial Corridor Sewer Sanitary Subdistrict.]

3 (3) THE PARCELS LISTED IN SECTIONS 256-40I(1)(C) AND 256-40I(1)(D)  
4 AND THE PARCELS OR PORTIONS OF PARCELS LISTED IN SECTION 256-40I(1)(F) WITH R2  
5 ZONING AS OF AUGUST 2004 ARE INCLUDED IN THE SUBDISTRICT.

6 (4) ~~EXCEPT FOR ANY PARCEL OR LOT LISTED IN SECTION 256-40I(1)(G),~~  
7 THE PORTION OF ANY PARCEL LISTED IN SECTION 256-40I(1)(A)-(G)(F) WITH  
8 AGRICULTURAL ZONING AS OF AUGUST 2004 IS EXCLUDED FROM THE FALLSTON  
9 COMMERCIAL CORRIDOR SEWER SANITARY SUBDISTRICT.

10 [(3)](5) Assessments for the Fallston Commercial Corridor sewer will be  
11 computed as specified in Subsection 256-30E of the Code.

12 (6) INCLUSION IN THIS SUBDISTRICT DOES NOT EXEMPT PROPERTY  
13 FROM THE REQUIREMENTS OF SECTION 267-104.

14 Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the date  
15 it becomes law.

EFFECTIVE: December 7, 2004

*The Council Administrator does hereby certify that  
fifteen (15) copies of this Bill are immediately available for  
distribution to the public and the press.*

\_\_\_\_\_  
*Council Administrator*

HARFORD COUNTY BILL NO. 04-34 As Amended

Brief Title Fallston Sanitary Subdistrict

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

**CERTIFIED TRUE AND CORRECT**

Barbara J. Ruth  
Council Administrator

Date October 5, 2004

**ENROLLED**

Robert S. Wagner  
Council President

Date October 5, 2004

**BY THE COUNCIL**

Read the third time.

Passed: LSD 04-25

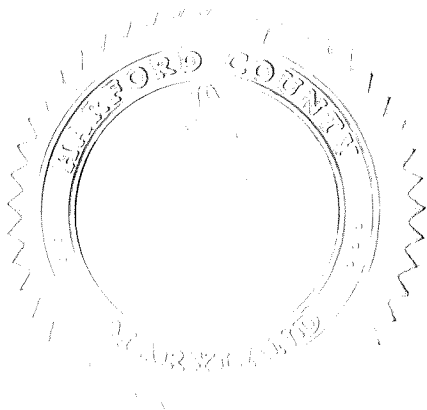
Failed of Passage: \_\_\_\_\_

By Order

Barbara J. Ruth  
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 6<sup>th</sup> day of October, 2004 at 3:00 p.m.

Barbara J. Ruth  
Council Administrator



**BY THE EXECUTIVE**

James M. Harbino  
COUNTY EXECUTIVE

APPROVED: Date 10-8-04

**BY THE COUNCIL**

This Bill No. 04-34 As Amended, having been approved by the Executive and returned to the Council, becomes law on October 8, 2004.

EFFECTIVE DATE: December 7, 2004

Barbara J. Ruth  
Barbara J. Ruth, Council Administrator